

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GUN OWNERS OF AMERICA, INC.,  
et al.,

Plaintiffs,

Case No. 1:18-cv-01429  
Hon. Paul L. Maloney

v.

MATTHEW WHITAKER, et al.,

Defendants.

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EXPEDITED CONSIDERATION REQUESTED

**PLAINTIFFS' MOTION REQUESTING TELEPHONIC  
CONFERENCE WITH JUDGE MALONEY AND COUNSEL**

NOW COME Plaintiffs, GUN OWNERS OF AMERICA, INC., GUN OWNERS FOUNDATION, VIRGINIA CITIZENS DEFENSE LEAGUE, MATT WATKINS, TIM HARMSSEN and RACHEL MALONE, by and through their Attorneys, PENTIUK, COUVREUR & KOBILJAK, P.C., and for their Expedited Motion Requesting Telephonic Conference with Judge Maloney and Counsel, state as follows:

1. Defendants were contacted January 31, 2019, for concurrence in the instant motion and state that they do not agree that a scheduling conference is needed, but will be available to participate if the Court finds that one is warranted.

2. Plaintiffs desire the Court to schedule a telephonic conference when the Court and Parties' counsel are available. Plaintiffs' Counsel is available Tuesday, February 5, 2019, Thursday, February 7, 2019, and Friday, February 8, 2019, to discuss the following issues:

A. The Court's understanding of the impact on the pending Motion for a Preliminary Injunction hearing date if a government shutdown resumes on

February 15, 2019, and whether the risk of such a shutdown would necessitate any change in briefing and oral argument dates;

B. Plaintiffs' strong interest in a timely decision on the pending Motion for Preliminary Injunction at a sufficiently early date, such that in the event of an adverse ruling, it would allow Plaintiffs to appeal to and seek an emergency stay from the Sixth Circuit Court; and

C. Facilitating discovery including, Plaintiffs' desire for a bumpstock live fire field inspection and test pursuant to Rule 34(a), with this Honorable Court, legal Counsel and specific parties or experts present, *prior to the hearing now set for March 11, 2019*, as the operation of a bumpstock cannot be easily understood from the pleadings and briefs alone. It is dependent on individual technique and hand pressure that should be experienced in person. In this case, a picture/demonstration/test is worth a thousand words.

D. Leave for permissive joinder of Gun Owners of California, under Rule 20.

WHEREFORE, Plaintiffs respectfully request this Honorable Court grant the relief requested in this Motion and schedule a telephonic conference with this Court and Counsel of record on an available date and time.

Dated: February 1, 2019.

Respectfully submitted,  
**PENTIUK, COUVREUR & KOBILJAK, P.C.**

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**CERTIFICATE OF SERVICE**

Karen Zurbo-Miller, is employed by PENTIUK, COUVREUR & KOBILJAK, P.C. and on February 1, 2019, e-filed and served Plaintiffs' Motion Requesting Telephonic Conference With Judge Maloney and Counsel using this Court's e-filing and e-service system.

/s/ Karen Zurbo-Miller  
Karen Zurbo-Miller, Legal Assistant

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